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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

NIMESH PATEL, Individually and on Behalf
of All Others Similarly Situated,

Plaintiff,

vs.

FACEBOOK, INC.,

Defendant.

Case No. 3:15-cv-03747-JD

MOTION FOR ADMINISTRATIVE RELIEF
PURSUANT TO CIVIL LOCAL RULE 7-11
IN CONNECTION WITH RELATED AND
CONSOLIDATED ACTIONS

CARLO LICATA, Individually and on Behalf
of All Others Similarly Situated,

Plaintiff,

vs.

FACEBOOK, INC.,

Defendant.

Case No. 3:15-cv-03748-MEJ

ADAM PEZEN, Individually and on Behalf of
All Others Similarly Situated,

Plaintiff,

vs.

FACEBOOK, INC.,

Defendant.

Case No. 3:15-cv-03749-HSG

INTRODUCTION

On August 17, 2015, this Court issued separate Orders Setting Initial Case Management Conference and ADR Deadlines in *Licata v. Facebook, Inc.*, Case No. 15-cv-03748-MEJ and *Pezen v. Facebook, Inc.*, Case No. 15-cv-03749-DMR. On August 18, 2015, this Court issued an Order Setting Initial Case Management Conference and ADR Deadlines in *Patel v. Facebook, Inc.* and assigning case number 15-cv-03747-MEJ. All three cases were previously related and consolidated and later transferred from the United States District Court for the Northern District of Illinois to this District pursuant to 28 U.S.C. §1404(a). To facilitate efficient case management, plaintiffs Adam Pezen, Carlo Licata, and Nimesh Patel (collectively, “plaintiffs”) and Defendant Facebook, Inc., hereby respectfully submit this Motion for Administrative Relief Pursuant to Civil Local Rule 7-11 in Connection with Related and Consolidated Actions.

PROCEDURAL HISTORY

On April 1, 2015, plaintiff Carlo Licata filed an action in the Circuit Court of Cook County, Illinois County Department, Chancery Division, captioned *Licata v. Facebook, Inc.*; Facebook removed that case to this Court on May 6, 2015.

On April 21, 2015, plaintiff Adam Pezen filed an action captioned *Pezen v. Facebook, Inc.*, Case No. 1:15-cv-03484, in the United States District Court for the Northern District of Illinois.

On May 14, 2015, plaintiff Nimesh Patel filed an action captioned *Patel v. Facebook, Inc.*, Case No. 1:15-cv-04265, in the United States Court for the Northern District of Illinois.

Each of the above actions allege violations of the Illinois Biometric Information Privacy Act of 2008, alleging claims against the same party, Facebook, Inc., arising out of the same set of facts and circumstances and seek to certify a class of plaintiffs pursuant to Rule 23 of the Federal Rules of Civil Procedure.

**ORDERS RELATING AND CONSOLIDATING CASES
AND APPOINTING INTERIM CO-LEAD COUNSEL**

On May 21, 2015, United States District Court Judge for the Northern District of Illinois, James Zagel, entered Orders in the respective cases relating the *Licata*, *Pezen* and *Patel* Actions pursuant to Northern District of Illinois Local Rule 40.4.¹

On July 8, 2015, United States District Court Judge James Zagel issued an Order Appointing Interim Co-Lead Class Counsel and Setting Schedule, consolidating the related cases for all pretrial proceedings under the *Pezen* action and appointing Jay Edelson of Edelson PC, Joel Bernstein of Labaton Sucharow LLP, and Paul Geller of Robbins Geller Rudman & Dowd LLP Interim Co-Lead Counsel.

TRANSFER ORDER

On July 29, 2015, pursuant to stipulation of the parties, Judge Zagel issued an Order Transferring Venue of the consolidated action to the Northern District of California pursuant to 28 U.S.C. §1404(a).

CONCLUSION

The parties respectfully request that because the three cases set forth above have been related and consolidated for all pretrial proceedings, that this Court assign a master docket number and caption to the consolidated actions and assign the action to the judge presiding over the *Pezen* action.

DATED: August 28, 2015

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s/ Shawn A. Williams
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¹ Northern District Illinois Local Rule is substantially similar to Northern District of California Civil Local Rule 3.12(a). N.D. Ill. LR40.4. Related Cases, Reassignment of Cases as Related Definitions. "Two or more civil cases may be related if one or more of the following conditions are met: (1) the cases involve the same property; (2) the cases involve some of the same issues of fact or law; (3) the cases grow out of the same transaction or occurrence; or (4) in class action suits, one or more of the classes involved in the cases is or are the same."

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Attorneys for Defendant Facebook, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on August 28, 2015, I authorized the electronic filing of the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice List, and I hereby certify that I caused to be mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on August 28, 2015.

s/ Shawn A. Williams
SHAWN A. WILLIAMS

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Mailing Information for a Case 3:15-cv-03747-JD Patel v. Facebook, Inc.

Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case.

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Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

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